



MARK W. MYERS

*Mayor*

November 24, 2011

Dave Navecky  
Surface Transportation Board  
395 E Street, SW  
Room 1104  
Washington, DC 20423

Re: City of Greenwood, Indiana Comments  
Finance Docket No. 35523

Dear Mr. Navecky:

The City of Greenwood ("City") herewith provides comments requested in October 31, 2014 request for comments on the Supplemental Environmental Assessment for Docket No. 35523. It is the City's understanding that the request for additional comments is meant to assist with the identification of possible economic, social, or environmental effects that may result from the CSX Transportation, Inc. ("CSXT") acquisition of a perpetual non-exclusive overhead freight operating easement of 106.5 miles of the Louisville & Indiana Railroad Company ("LIRC") between Indianapolis, IN, milepost 4.0 and Louisville, KY, milepost 110.5 (the "Line"). This Line is located within the municipal limits of the City between County Line Road (boundary between Greenwood and Indianapolis) and a point approximately ½ mile south of Pushville Road (County Road 700 North). The Line is approximately 4.6 miles in length within the City municipal boundary.

It is understood from the application that CSXT intends to rehabilitate the Line to allow an increase in speed of freight trains at up to 49 mph, increase loading of rail cars at up to 286,000 lbs., and increase the length of trains. CSXT will also reroute trains from other lines in the Midwest to the Line. The City has a number of concerns related the impact of this project on safety, traffic delays, environment (including noise), and the regional transit plan.

1. City streets currently cross the Line at seven (7) locations ("Crossings"), not including County Line Road which is under the jurisdiction of Indianapolis. The Crossings are, in some cases, equipped with automated warning flashers and bells to signal the approach of a train. None of the Crossings currently have gates to prevent motorists from crossing the Line when a train is approaching. Because the speed of the trains, their length, and the frequency of use will increase, the City believes that CSXT should be required to upgrade ALL Crossings within the City municipal boundary to include automated warning flashers and bells (where not currently installed), install automated gates to prevent crossing of the Line at all Crossings, and upgrade all pavement within the Line right-of-way to meet INDOT standards for rail crossings of State highways. The City is also investing in upgrades to Crossings at Worthsville Road and at Pushville Road. The upgrades are being done at significant cost to local taxpayers. **The City respectfully requests that CSXT be required to upgrade all crossings within the municipal jurisdiction and to reimburse the City for all costs associated**

City of Greenwood  
300 South Madison Avenue  
Greenwood IN 46142

317-887-5000  
greenwood.in.gov

**with the design and construction of the upgraded crossings at Worthsville Road and Pushville Road currently under construction.**

The Line passes through a number of residential neighborhoods which will be adversely impacted by the additional number of trains, the higher rate of speed at which those trains will travel, and an expected increase in the number of cars per train. The additional noise will disturb those residents. **The City requests that CSXT be required to install barriers along the Line right-of-way within residential neighborhoods that will minimize noise impacts to residents, or develop policies and procedures in consultation with the City to minimize noise impacts (e.g. speed reduction, scheduling). In addition, pursuant to 49 USC Section 20153, the City requests that a “Quiet Zone” (QZ) be designated in addition to the noise barriers described above. The QZ would be operative from Main Street through County Line Road which would greatly reduce train-related noise as identified by the Office of Environmental Analysis where it states on page 2 of the Supplemental Environmental Assessment “The Supplemental EA preliminarily concludes that the proposed joint use would adversely affect two areas of concern: vehicle delays at several at-grade crossings and increases train-related noise to levels where mitigation could be warranted for several hundred homes and other noise-sensitive receptors along the Indianapolis Terminal Subdivision – Louisville Secondary Branch.” The QZ should be paid for entirely by the railroad(s).**

2.

3. Unauthorized pedestrian access to the Line may result in personal injury or death. **The City requests that CSXT install access barriers (e.g. chain link fence) in those residential areas where pedestrians may attempt to cross the Line.**
4. Six (6) of the local roads and streets crossed by the Line are oriented east-west. Automobile traffic within the City generally suffers from congestion during peak hours along those east-west corridors. An increase in the frequency of trains will adversely impact traffic movement within the City unless efforts are made to coordinate the scheduling of freight movement along the Line to minimize the traffic impacts. The City requests that CSXT be required to obtain the approval of City officials for scheduling of trains and any deviation from said schedule. Further, there have been recent evidence of increased frequency and length of trains traversing through the City jurisdiction. With that there have been lengthy blockages of crossings that have adversely impacted residents and potentially impacted the ability of public safety departments to provide needed services. One example which occurred on the morning of November 8, 2014, involved a stopped train, presumably due to work hour restrictions of the crew and CSXT's inability to provide a replacement crew to keep the train underway. The northbound train stopped short of Main Street and did not block any traffic at this crossing. The length of the train, however, was in excess of 1.5 miles as it blocked the crossing at Pushville Road. This should not occur and could have a tremendous impact on the City's Fire and Police Departments to make critical runs. **Should CSXT block crossings it should be required to make an investment in the community to provide more facilities and equipment that will allow an acceptable level of public safety to the residents of, and visitors to, our City. Further, the City is concerned with a common railroad practice of trains “creeping” through Greenwood at speeds much below the existing track speed as crews judge the train's arrival at the crew change point near IU Tower in Indianapolis. Trains moving slowly through a community present the same traffic related problems as stopped trains, however, the community's ability to cite the train crew for blocking crossings under IC 8-6-7.5-3 is negated because the train is moving. Congestion is going to be an ongoing issue in Greenwood as train traffic grows and train lengths increase. This practice of trains creeping to avoid citations under State law should be prohibited by the Surface Transportation Board (“STB”), and the prohibition must be addressed in any approvals that may be granted, including severe penalties for violation.**
5. The Indianapolis Metropolitan Planning Organization (“MPO”) and other organizations in the region have developed a mass transit plan which proposes the addition of passenger rail service on the Line

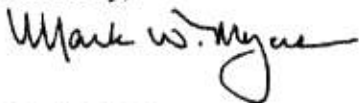


between Indianapolis and Franklin, Indiana. The City is concerned that, by increasing freight traffic on the Line, passenger service would not be possible or would be significantly reduced. The City believes that passenger rail is a critical component of the overall transit strategy in the region, and should be preserved. **The City therefore requests that a provision for passenger rail on the Line be included as a part of any approval granted to CSXT.**

6. The Line currently does not provide any freight service to the City, nor is infrastructure in place to allow such service. **The City requests that a rail spur be constructed as a condition of approval to serve industrial users in the southern part of the City, specifically between Worthsville and Pushville Roads.**
7. The City has a very real concern over the potential routing of hazardous material by CSX over the LIRC line. As stated on Page 2-11 of the Supplemental Environmental Assessment "CSXT operates a mix of trains—automobile, bulk commodities, coal, intermodal, merchandise, and others—over the region of its network that would be affected by the Proposed Transaction. Under the Proposed Transaction, CSXT trains operating over the L&I Line would likely average 7,200 feet in length and 6,000 tons in weight. CSXT could increase train lengths if general economic and market conditions warrant; however, CSXT does not expect its trains to exceed, on average, 7,200 feet in length over the L&I Line for at least the first 5 years of operations under the Proposed Transaction. L&I operates trains that are 3,160 feet long and weigh 4,000 tons. L&I does not anticipate changes to its number, length, or tonnage of trains as a result of the Proposed Transaction. Should L&I decide to increase the height or tonnage of its trains, and thus benefit from the proposed CSXT-funded upgrades, L&I could do so but would pay CSXT a fee. Pursuant to its trackage rights agreement, CSXT would not transport hazardous material over the L&I Line. CSXT and L&I are the only carriers that use or would use the L&I Line." In this regard the Voluntary Mitigation (VM) efforts to be undertaken by the railroad(s) deal extensively with hazardous material training. **The VM's proposed by the railroad(s) are viewed by the City as window dressing to make the application look good UNLESS its real strategy is to move hazardous material over the line. It appears the existing trackage rights agreement could easily be amended by letter agreement to waive the prohibition on the movement of hazardous material over the line. In addition, it is already a fact that some train lengths have exceeded the 7,200 feet average as cited in the example of the blocked crossing described in Item 4. The 54 Voluntary Mitigation measures proposed by the railroad(s) appear to have no teeth in them. They are absolutely voluntary with no penalties if they are never acted upon, implemented or the parties fail to come to terms. The VM's should be made Mandatory Mitigation Standards in addition to the minimal (in the City's opinion) 14 Mandatory Mitigation efforts that have already been imposed by the STB in the CSX/LIRC Joint Use Mitigation document.**

I trust that the comments provided herewith will be considered in the review by the Surface Transportation Board of CSXT's application. Should you have any questions, please contact me at your convenience.

Sincerely,



Mark W. Myers  
Mayor